

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CHRISTINA RYAN,

§§§§§§§§§§§§§§§§

Plaintiff

V.

No. 5:12-CV-00498-OLG

**NEW CENTURY HOSPICE, INC.,
COSMOS HOSPICE, LLC, and
COSMOS HOSPICE OF SAN
ANTONIO, LLC.**

Defendants

STIPULATION OF DISMISSAL WITH PRE-JUDICE

Plaintiff Christina Ryan (“Plaintiff”) and Defendants New Century Hospice, Inc. (“New Century”), Cosmos Hospice, LLC (“Cosmos”), and Cosmos Hospice of San Antonio, LLC (“Cosmos SA”) (collectively, “Defendants”) file this Stipulation of Dismissal With Prejudice regarding Plaintiff’s claims against Defendants pursuant to FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(ii).

1. Plaintiff alleges Defendants improperly paid Plaintiff. Defendants deny

Plaintiff's allegations. There is a bona fide dispute between the parties as to the amount of hours worked by Plaintiff and/or compensation due to Plaintiff.

2. Defendants have answered this suit.

3. This case is not a class action and a receiver has not been appointed.

4. This action is not governed by any statute of the United States that requires an order of the court for dismissal of this case.

5. Plaintiff and Defendants have resolved their differences.

6. Plaintiff hereby dismisses, with prejudice, all her claims against Defendants.

Plaintiff and Defendants will bear their own costs of suit.

7. As indicated by their attorneys' signatures below, all parties who have appeared in the action stipulate to the dismissal, with prejudice, of Plaintiff's claims against Defendants.

Dated: November 9, 2012

Respectfully submitted,

/s/ David G. Langenfeld

David G. Langenfeld
Texas Bar No. 11911325

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ATTORNEY FOR PLAINTIFF

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ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2012, I electronically filed this document with the clerk of court for the U.S. District Court, Western District of Texas, using the Electronic Case Filing System of the Court. The Electronic Case Filing System sent a "Notice of Electronic Filing" to the Plaintiff's attorney of record, who has consented in writing to accept service of this document by electronic means.

/s/Kevin S. Mullen
Kevin S. Mullen